

*E-filed on:* 4/29/08

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

WILLIAM B. BURLEIGH

Plaintiff,

v.

COUNTY OF MONTEREY, A Public Entity,  
and DOES 1 to 20

Defendants.

No. C-07-02332 RMW


ORDER DENYING PLAINTIFF'S MOTION  
FOR LEAVE TO AMEND TO ADD  
ADDITIONAL DEFENDANTS

**[Re Docket No. 71]**

Plaintiff seeks leave to amend the complaint in the instant action to add several new defendants. Specifically, Plaintiff seeks to add Scott Hennessey, Alana Knaster, Bill Dunn, Jeff Marin, Lautaru Echiburu, John Floyd, Mike Novo, Irven Grant, Frank Tiesen, Wendy Strimling, Shandell Brunk, and Dale Ellis as defendants to the instant action. However, Plaintiff has not included with his motion a pleading setting out the allegations he wishes to make against these proposed defendants. Although leave to amend is freely given when justice applies under Federal R. Civ. Pro. 15(a), the Court cannot evaluate the propriety of adding these defendants to the instant action without an opportunity to review the allegations Plaintiff wishes to make against them. Accordingly, the motion for leave to amend to add additional defendants is DENIED without prejudice to Plaintiff filing a new motion along with an amended pleading setting forth the

1 allegations Plaintiff seeks to make against the defendants he proposes to add.

2  
3  
4 DATED: 4/29/08

  
RONALD M. WHYTE  
United States District Judge

**A copy of this order was delivered to:**

**Plaintiff (pro se):**

William Burleigh  
P.O. Box 503  
Big Sur, CA 93920

**Counsel for Defendants:**

Frank G. Tiesen                      tiesenf@co.monterey.ca.us

Counsel are responsible for distributing copies of this order to co-counsel, as necessary.

DATED: 4/29/08 /s/ JSS  
Chambers of Judge Whyte